(3)

No. 96-8796

IN THE UNITED STATES SUPREME COURT

AMERICA

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SUPREME COURT, U.S.

October Term, 1996

Eileen Vey

v.

William J. Clinton,
PRESIDENT OF THE
UNITED STATES, et al.

Petition for a Writ of Certiorari to The Third Circuit

Eileen Vey
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10 pp

QUESTION PRESENTED

I.

IS THE UNITED STATES SUPREME COURT OF AMERICA PERMITTING EILEEN VEY TO BRING WORLDWIDE LAW, ORDER, SAFETY, HARMONY, PEACE, ETC.....

LIST OF PARTIES

The parties are President Clinton, The United States of America and every country and government worldwide, etc... and Eileen Vey.

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THE UNITED STATES, ET AL.

Petition For
WRIT OF CERTIORARI 3RD

Petitioner, Eileen Vey, respectfully prays that a Writ of Certiorari to the Third Circuit be granted.

OPINIONS BELOW

The nine (9) different years of voluminous denied cases below, including this CA3RD No. 96-3571 (DCWD of PA No. 94-2141), were all unofficially reported.

JURISDICTION

The United States Court of Appeals for the Third Circuit issued an Order dated February 27, 1997, which denied this case

as legally frivolous. Jurisdiction is envoked under writ of certiorari Rule 12, 28 USC § 1254.

CONSTITUTIONAL & STATUTORY PROVISIONS

The provisions in this case involve The United States Constitution and Federal Law in contrast to International, state and local laws. This case does have great legal premise and is not legally frivolous as the United States Court of Appeals 3RD and as this Court has decided previously.

STATEMENT OF CASE

The United States District Court, Western District of Pennsylvania, had jurisdiction pursuant to both 28 USC §§ 2254, 1343 and 18 USC § 3231 in this case.

This particular case is both a civil and a criminal case presentation. For thirteen long years, Vey has submitted crime/civil cases for nine different years in federal court and for thirteen years in state court. Yet all her cases were rejected under civil submissions in the federal court system and under criminal submission in the state court system.

In brief, Vey is a private entitiy of justice, who has presented cases, simularly as the government hires

independent counsel in conflicting government cases. Yet the government has never paid her or rewarded her, even when she crime detected the Rodney King case, at which time the U.S. Department of Justice stated it was stymied at the matter. Vey saved the government's face also in the King case!

REASONS FOR GRANTING WRIT

Writ of Certiorari to the Third Circuit should be granted for the following reasons, which show that the United States Court of Appeals 1) has been entering decisions in conflict with other United States Courts of Appeals; 2) has so departed from the accepted and usual course of judicial proceedings; 3) has sanctioned such a departure by lower court, as to call for an exercise of this Court's supervisory power; and 4) has decided important federal questions in a way that conflicts with this Court. These are:

Cause of Action

NO HABEAS CORPUS RELIEF BELOW

Vey is being denied her right to a

prima facie habeas corpus relief for about 13 years. She has repeatedly declared and offered evidence, with which appears to have been tampered and which proves she has been in "illegal custody" (now to state parole). That is, the verdict was against the weight of evidence in first instance: Given the extensive testimony provided at trial 1) regarding Vey's appearance, 2) conduct, 3) mental state at the time, as well as possible brain damage, 4) her husband's abuse, 5) fearing for life (screams for "HELP!"), 6) gun being fired WITHOUT BULLETS (irrational), 7)psychiatrist's declaration of her not knowing right from wrong and schizophrenic mental state at the time, this firm proof proved that Vey was insane at the time of the tragedy. Therefore, there is no "proof of guilt beyond a reasonable doubt," and the rule of **Jackson v. Virginia**, 443 US 307 (1979), at 324, (reh dn 444 US 307) is, therefore, applicable:

> "The applicant is entitled to habeas corpus relief if it is found that upon the record evidence adduced at trial no rational trier of fact could have found proof of guilt beyond a reasonable doubt."

ILLEGAL STATE JUSTICE SYSTEM

While in state prison, Vey taught herself Federal Law, during which time she detected the overturning of the Federal Government, LINCHPIN Article VII, crime detected the Heinz' assasination, Philadelphia's illegal operation of jail, etc., the Rodney King case for the U.S. Department of Justice. Moreover, she crime detected the illegal operation of Pennsylvania's justice system, which includes that of the legislative, executive, and judical branches of government, as well as Allegheny County's D.A.s Office and police. That is, it operates in violation of our Federal Crimes Codes.

ILLEGAL HEALTH/WELFARE SYSTEM

After being illegally abandoned by counsel on case (state and federal), Vey was injured and still in wheelchair, while serving pro se habeas corpus. With her knowledge of law, she then became aware of the illegally operated medical system, national and worldwide! Moreover, she became aware of the international security involving biological and chemical warfare elements, which should be under government

control and the need for one international medical system.

In addition, there are the matters of this nation and others caring for their poor.

FEDERAL LEGAL CHAOS BELOW AND HERE

For nine different years (1989), Vey has witnessed illegal withholding of relief in her cases, denied due process, her statutory right to argue own case 28 USC § 1654, right to counsel in her habeas corpus § 2254, right to civil rights relief, including emergency medical injunction, as others receive, abusively subjected to same prejudicial judges as long as nine years (Judge Becker), forced to testify herself against her own will in in her habeas corpus cases. Therefore, 28 USC §§ 47, 144, 455(d), recusal matters conflict with this Court's U.S. **ex rel Fink v. Tod** (1924) 1F2d 246 revd on other grounds 267 US 571:

> "Purpose of statutory disqualification is to make certain that the U.S. Court of Appeals consist of Judges uncommitted and uninfluenced by having expressed or formed opinion in court of first instance.."

In conflict with another court of appeals is **Harris v. Champion** (1994) 15 F3d 1538:

> "Standard under federal recusal statutes is an objective one and requires recusal whenever reasonable person, knowing all relevant facts, would harbor doubts about judge's impartiality."

Legal Rights Premise

STATUTE OF LIMITATION FREEDOM

Because Vey has been litigating her state habeas corpus all these years, Vey has statute of limitation immunity, **Central States, Southeast & Southwest Areas Pension Fund v. Slotky** (1992) 956 F2d 1369 (7TH) and **Rodriquez v. Holmes** (1992) 963 F2d 799, 805 (5TH)..

LEGAL PREMISE FOR §§ 1983 & RICO

In reference to this case's 1994 filing under 42 USC § 1983 and RICO 18 USC § 1346, Vey need show rightful deprivations by respondents, **U.S. v. Brown** (1976) 540 F2d 364:

> "A deceptive scheme will be violative of this section, if it is shown to operate to deprive individuals of significant intangible rights or interests."

"For the purposes of this chapter, the term "scheme or artifice to defraud" includes a scheme or artifice to deprive another of the intangible right of honest services." 18 USC § 1346

LEGAL PREMISE AGAINST PRESIDENT, CONGRESS MEMBERS, FEDERAL JUDGES, ETC.

There is no immunity from civil suit or criminal prosecution in courts for any President of the United States, **Nixon v. Sirica** (1973) 487 US F2d 700:

"Immunity - This clause does not imply immunity of the President from routine court process."

The President is liable under 18 USC § 1983, **Clark v. US** (1979) 481 FS 1086, app dismd (CA2NY) 624 F2d 3:

"President of US was entitled to qualified immunity, rather than absolute immunity, in action under 42 USC § 1983 alleging that US, several government agencies, various federal governmental officials, and telephone company engaged in breakins and burglaries of plaintiff's homes and offices, physical intimidation and harrassment, wire taps, mail openings, and other forms of illegal surveillance against plaintiffs', where President did not argue that alleged surveillance program was exercise of judicial or prosecutorial function of office or

that it was essential to conduct of public business."

Moreover, Members of Congress, et cetera are liable for deprivations, **McSurely v. McClellan** (1976) 553 F2d 1277, cert gr 434 US 888, 753 F2d 88, cert dn 88LEd2d 457:

> "Conduct that falls outside of legislative immunity - such activity, if otherwise actionable under applicable law, may be subject of private suit for damage."

LEGAL PREMISE RE INTERNATIONAL

Federal courts have jurisdiction on cases of Civil Rights and commercial oppression under the Sherman Act (15 USC §§ 1 et seq.), **Hartford Fire Ins. Co. v. CA**, 509 US 764; Foreign Sovereign Immunities Act (28 USC §§ 1330, 1602 et seq.), **Argentine Republic v. Amerada Hess Shipping Corp.**, 488 US 428; **Republic of Argentine v. Weltover, Inc.**, 504 US 607; and **Saudi Arabia v. Nelson**, 507 US 349, etc.

"TAG-A-LONG" MATTERS SINCE 1994 FILING

Since the filing of 1989 first habeas corpus, Vey is supplementing her case with additional issues/matters with legal

authority given by United States Supreme Court, Lamar v. US 241 US 103.

Vey will be presenting additional cases in her briefing, if writ of certiorari is granted.

Brief Presentation

Writ of Certiorari should be granted, not only because of the legalities as stated above and for thirteen years of due process violations, but also because Vey wants to serve her brief to major nations of the world to encourage them to agree with one law system for the benefit of all. This includes our own nation, which state and local laws violate our U.S. Constitution and Federal Laws.

CONCLUSION

For reasons stated above, Eileen Vey prays that a writ of certiorari be granted in the interest of justice and world peace.

Respectfully submitted,

Eileen Vey

Eileen Vey, Th.D.

APPENDIX 1

AMENDED APS-127 February 13, 1997

UNITED STATES COURT OF APPEALS (3RD)

C.A. No. 96-3571

EILEEN VEY

vs.

PRESIDENT & FIRST LADY CLINTON, ET AL.

(W.D. Pa. Civ. No. 94-cv-2141)

Present: BECKER, ALITO, AND MCKEE, CIRCUIT JUDGE

Submitted are:

(1) By the Clerk for possible dismissal pursuant to 28 USC § 1915 (e)(2); and

(2) Appellant's motion for withdrawal of appeal, filed February 19, 1997

in the above-captioned case.

Respectfully,

Clerk

PDS/NBS/ms

ORDER

The appeal is herby dismissed pursuant to 28 USC § 1915(e)(2)(i) (1996), because it is legally frivolous. The Appellant's motion to withdraw this appeal is denied as moot.

By the Court,

BECKER

Dated: FEB 27 1997 Circuit Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EILEEN VEY, Plaintiff,	)	
vs.	)	CIVIL ACTION
PRESIDENT & FIRST LADY CLINTON, CHINA PREMIER LI PENG, U.S. SENATOR BOB DOLE, U.S. SENATOR ARLEN SPECTER, U.S. SENATOR JESSIE HELMS U.S. SENATOR WOFFORD, U.S. SUPREME COURT JUSTICE REHNQUIST, , REN JIANXIN, CHINA SUPREME PEOPLE'S COURT, D. SLOVITER, CHIEF JUDGE, U.S. COURT OF APPEALS (3RD), J. RENO, U.S. ATTORNEY GENERAL, LOUIS FREEH, F.B.I. DIRECTOR, ROBERT P. CASEY, PA GOVERNOR, M. SINGEL, PA LT. GOVERNOR, PA GOVERNOR ELECT RIDGE, M. SCHWEIKER, PA LT GOV ELECT, PA ATTORNEY GEN PRATE, C.J. NIX, FR., PA SUPERIOR COURT, CH J ROWLEY, ROBERT COLVILLE, ALL CO D.A., TOM FORESTER, CHRMN ALL CO COMMISS, PITTSBURGH MAYOR TOM MURPHY, AMA PRES JOS. T. PAINTER, ABA PRES R. WLM IDE, III, ACLJ PRES JAY SEKULOW, ACLU PRES NADINE STROSSEN, AMTRAK PRESIDENT, LAIDLAW TRANSIT INTERNATIONAL, NATIONAL (OWENS) PRESIDENT, GREYHOUND BUS PRESIDENT, AND ADM JDG SSI PACE, ET AL, Defendants.	)	No. 94-2141

APPENDIX 2

ORDER OF COURT

AND NOW, this 30th day of January, 1996, it is hereby

ORDERED that plaintiff's S.O.S. Motions (Reopen and Reconsideration of Case, Etc.) (Document No. 7) is DENIED as said motion is frivolous.

Donald J. Lee
United States District Judge

CC: Ms. Eileen Vey
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Pittsburgh, PA 15212